

REMARKS

Applicants herein respectfully submit a complete set of replacement drawing sheets (sheets 1-2) which replace all of the original drawings.

The foregoing amendments are submitted in response to the first Office action without introduction of new matter, in an effort to place the application in condition for allowance. Accordingly, the specification has been amended so as to emphasize a critical distinction over the prior art and to correct a numerical error. The claims have been amended so as to recast claims 2 and 6 in independent form. Also claims 1 and 5 have been amended and claim 4 has been cancelled. Claims 2 and 6 as amended together with claims 3, 7 and 8 dependent therefrom are therefore in allowable form as indicated on page 3 of the Office action. Amended claims 1 and 5 now more clearly distinguish over the prior art references applied thereto, as hereinafter pointed out.

Claim 1 was rejected under 35 U.S.C. 102 as anticipated by the disclosure in the Brown et al. patent, the Rodriguez et al. patent and the Kolp et al. patent of record, as stated on pages 2-3 of the Office action. Claim 1 as now amended specifies: "sensor means positioned within an enclosure through which said body of fluid is undergoing flow for detection--; and indicator means--for monitoring--in response to said detection during said flow through the enclosure". All of the embodiments disclosed in the Brown et al. patent are limited to sampling a portion (104) of an oil lubricant fluid for test measurement within a container (102) of particulate contamination content. According to the disclosure in the Rodriguez et al. patent, measurement of ferromagnetic particles within lubricating fluid is effected by a sensor (10) installed within a reservoir oil pan (12) of an engine. According to the disclosure in the Kolp et al. patent as indicated in paragraph [0047], fluid undergoing outflow from machinery through a conduit (223) is analyzed for its

debris content by sampling within an optical flow cell (226) outside of the outflow conduit (223), rather than inside thereof. In view of the foregoing referred to limitations of the disclosures in the Brown et al., Rodriguez et al. and Kolp et al. patents, the microelectro-mechanical system as defined by amended claim 1 is clearly not anticipated. Accordingly the allowance of amended claim 1 together with amended claim 5 dependent therefrom is in order.

In view of the amendments now submitted so as to recast allowable claims 2 and 6 in independent form and to emphasize certain (referred to) limitations in claim 1 which clearly distinguish over the four prior art references applied thereto, an allowance of the present application is in order and hereby requested, based on the allowable claims 2, 3, 6, 7 and 8 and amended claims 1 and 5.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Jacob Shuster", is written over the typed name.

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